

# Medicinal Cannabis Scheme: Frequently Asked Questions

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## What is the Medicinal Cannabis Scheme?

A Medicinal Cannabis Scheme has been established in the ACT to give people safe and legal access to high quality medicinal cannabis products.

The ACT Medicinal Cannabis Scheme was implemented on 21 November 2016, following the Therapeutic Goods Administration (TGA) decision to list medicinal cannabis as a controlled drug (Schedule 8) in the Poisons Standard. This has resulted in medicinal cannabis being a controlled medicine in the ACT.

As part of the scheme, prescribers are able to apply for a Category 6 – Medicinal Cannabis approval to prescribe medicinal cannabis within certain criteria. Category 6 was introduced within the ACT Controlled Medicines Prescribing Standards on 27 October 2017.

The medicinal cannabis category approval helps to streamline prescriber and patient access to high quality, safe medicinal cannabis products for patients.

It is important to note that possession, trafficking and supply of cannabis for recreational purposes is still illegal in the ACT.

## How can a prescriber access medicinal cannabis for their patient?

Prescribers wishing to prescribe medicinal cannabis need to obtain both an ACT approval and Commonwealth Special Access Scheme (SAS) approval from the TGA.

From February 2019, ACT prescribers may apply for both ACT and TGA approvals to prescribe medicinal cannabis products concurrently through the TGA's online application form. This consolidated form has been developed to streamline the application process prescribers and facilitate more timely patient access to medicinal cannabis. The TGA and ACT Health will each conduct their own evaluation processes on the information submitted via the online application system.

## Can a patient access medicinal cannabis in the ACT now?

Eligible patients are able to access medicinal cannabis through their prescriber.

Availability of medicinal cannabis products in Australia at this stage is limited, however the Commonwealth Government has approved some products for supply within Australia. Prescribers should contact ACT Health, the TGA or Office of Drug Control about options for accessing products.



## Can I be prescribed medicinal cannabis for chronic pain?

Prescribers may apply to the Chief Health Officer for approval to prescribe medicinal cannabis for chronic pain. These applications will be assessed on a case by case basis and advice may be sought from the Medicinal Cannabis Medical Advisory Panel.

## Who is able to access medicinal cannabis?

As part of the scheme, prescribers are able to apply for ACT Chief Health Officer approval to prescribe medicinal cannabis for certain medical conditions, via the TGA single online application pathway.

Medical conditions that are recognised and will be approved in the ACT under Category 6 of the Controlled Medicine Prescribing Standards include:

- spasticity in multiple sclerosis.
- nausea and vomiting related to cancer chemotherapy.
- pain and/or anxiety in patients with active malignancy to a life limiting disease where (in either case) the prognosis might reasonably be expected to be 12 months or less.
- refractory paediatric epilepsy.

Applications for other medical conditions will also be considered on a case by case basis and may be referred to the Medicinal Cannabis Medical Advisory Panel for advice.

## What about children?

The ACT Medicinal Cannabis Scheme includes prescribing for children for all indications. Specific criteria are included in the category for prescribing for refractory paediatric epilepsy.

## Who can I make a complaint to if I am not granted access to medicinal cannabis?

Where the Chief Health Officer refuses an application for medicinal cannabis, a prescriber may appeal to the Medicines Advisory Committee for a review of the decision.

## Can I drive if I have been prescribed medicinal cannabis?

Medicinal cannabis preparations that contain THC (tetrahydrocannabinol – the main psychoactive substance in cannabis) may cause a positive road drug test for cannabis. It is currently an offence to drive with THC in a person's oral fluid or blood. There is no legislative dispensation or defence for the use of medicinal cannabis that leads to a positive road drug test.

## Will I be able to get a licence from the ACT Government to cultivate or manufacture medicinal cannabis?

No. Licensing for the cultivation and manufacture of medicinal cannabis is wholly within the control of the Commonwealth Government (following recent amendments to the Cwth Narcotic Drugs Act). Further information on cultivation or manufacture of medicinal cannabis can be found at the Office of Drug Control website [www.odc.gov.au](http://www.odc.gov.au).

### Further Information

For further information, please visit the [Health Protection Service](#) website or contact the Pharmaceutical Services Section of the Health Protection Service on (02) 5124 9442.

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